

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PATRICIA GONZALEZ and JENNIFER
GONZALEZ, individually and as co-
administrators of the Estate of KENNY LAZO,

Plaintiffs,

-against-

**DEFENDANTS' PROPOSED
VOIR DIRE QUESTIONS**

09-cv-1023 (ST)

COUNTY OF SUFFOLK, SUFFOLK
POLICE DEPARTMENT, POLICE
COMMISSIONER RICHARD DORMER, in
his individual and official capacity, POLICE
OFFICER JOHN NEWTON, in his individual
and official capacity, POLICE OFFICER
JAMES SCIMONE, in his individual and
official capacity, POLICE OFFICER
WILLIAM JUDGE, in his individual and
official capacity, POLICE OFFICER
CHRISTOPHER TALT, in his individual and
official capacity, POLICE OFFICER LINK, ,
in his individual and official capacity,
COUNTY OF SUFFOLK OFFICE OF
DISTRICT ATTORNEY, SUFFOLK
COUNTY DISTRICT ATTORNEY THOMAS
SPOTA, in his individual and official capacity,
ASST. DISTRICT ATTORNEY JOHN B.
COLLINS, in his individual and official
capacity, and "JOHN AND JANE DOES 1-10"
representing as yet unknown and unidentified
members of the Office of the Suffolk County
District Attorney (all in their individual and
official capacities as employees of the Office
of Suffolk County District Attorney),

Defendants.

1. Have you or any members of your family or close friends ever been involved in an interaction with a police officer where you or they felt mistreated in any fashion?

2. Have you or any members of your family or close friends ever sued for personal injuries or for a violation of civil rights?
3. Have you or any member of your family or close friends ever sued or been sued by a municipality?
4. This case involves the alleged use of force by police officers. Are you comfortable with the use of force by police officers?
5. This case involves the alleged use of force by police officers. Do you tend to feel that police officers are inclined to use too much force?
6. This case involves the alleged use of force by police officers. Do you think that recent events involving the police could affect your ability to be fair and impartial in this case?
7. Does the fact that the plaintiffs in this case allege that someone was killed incline you to believe that the police officers acted inappropriately?
8. Does the fact that the plaintiffs in this case allege that someone was killed incline you to feel that his estate should receive damages from defendants?

9. The Judge in this case will be instructing you on the law that you must apply to the facts to reach your verdict in this case. Can you agree to apply the law as the Judge gives it to you, even if it differs from your personal beliefs?

10. If you were to hear a police officer testify that they used force to control a situation, would you conclude that they acted improperly or could you consider all of the circumstances at the time in determining whether the force was reasonable?

11. Some of the witnesses in this case are police officers. Their testimony may differ substantially from some of the testimony given by the plaintiffs' witnesses. If such differences were apparent to you, would you give greater credibility, less credibility, or the same credibility to the police officers' testimony because of their status as police officers?

12. Do you feel that the fact that the plaintiffs hired a lawyer and brought a lawsuit entitles them to recover some money damages?

13. Would you be inclined to think that there must be some merit to plaintiffs' claims since the court is conducting this trial?

13. Would you be comfortable not awarding the plaintiffs any damages at all if they do not prove their case?

14. Since defendants in this case are employees of a law enforcement agency, would you feel that they should be able to present some evidence disproving the plaintiffs' claim?

15. Will you listen to the evidence in the trial and apply the law as the Court instructs you, even if you do not agree with the law, and render a decision solely on the facts as developed at trial and in accordance with the law as instructed by the Court?

16. If the facts as elicited at the trial do not warrant a finding for the plaintiffs, would you have any difficulty in rendering a verdict in favor of the defendants and not awarding the plaintiffs any money at all?

17. If you were selected as a juror in this case, do you know of any reason why you could not sit as an impartial juror?

DATED: Hauppauge, New York
June 26, 2023

Yours, *etc.*,
Dennis M. Brown
Acting Suffolk County Attorney
Attorney for Defendants
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

By: /s/ Marc Lindemann
Marc Lindemann
Assistant County Attorney